

1
2
3
4
5
6
7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 GAIL K. DIAMOND,

CASE NO. C22-1808JLR

11 Plaintiff,

MINUTE ORDER

12 v.

13 JOHN MOSBY, et al.,

14 Defendants.

15 The following minute order is made by the direction of the court, the Honorable
16 James L. Robart:

17 Before the court is Plaintiff Gail K. Diamond's motion to extend the deadline to
18 serve Defendants John Mosby, Michael Pham, and Jennifer Sandler (collectively, the
19 "Defendants") with a summons and copy of the complaint by 60 days. (Mot. (Dkt.
20 # 10).) Ms. Diamond, who proceeds *pro se* and *in forma pauperis*, filed her complaint on
21 January 3, 2023. (*See* Compl. (Dkt. # 5); *see also* Summons (Dkt. # 9) (electronically
22 issued on February 2, 2023).) The deadline for Ms. Diamond to serve the Defendants

1 with a summons and copy of her complaint was Monday, April 3, 2023. Fed. R. Civ. P.
2 4(m). Ms. Diamond states that she needs additional time to serve the Defendants because
3 she has had to move to a new home and has taken a new job with a demanding schedule.
4 (See Mot.)

5 Under Rule 4(m), if the plaintiff shows good cause for failure to effect service
6 within 90 days of filing her complaint, “the court must extend the time for service for an
7 appropriate period.” *See* Fed. R. Civ. P. 4(m). The court concludes that there is good
8 cause to extend the deadline to serve the Defendants with a summons and copy of the
9 complaint by 14 days. Accordingly, Ms. Diamond must effect service on all of the
10 Defendants no later than April 17, 2023. Failure to comply with this deadline will result
11 in dismissal of Ms. Diamond’s complaint without prejudice. *See* Fed. R. Civ. P. 4(m)
12 (providing that the court “must dismiss the action without prejudice” if service is not
13 effected). For good cause shown, the court GRANTS in part Ms. Diamond’s motion (Dkt.
14 # 10) and EXTENDS her deadline for serving her complaint on the Defendants to April
15 17, 2023.

16 Filed and entered this 4th day of April, 2023.

17 RAVI SUBRAMANIAN
18 Clerk of Court

19 s/ Ashleigh Drecktrah
20 Deputy Clerk